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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,664	12/08/2003	Friedrich W. Beichter	POU920020103US1	4754
46369 7590 05/08/2008 HESLIN ROTHENBERG FARLEY & MESTI P.C. 5 COLUMBIA CIRCLE ALBANY, NY 12203				
EXAMINER				
JAIN, RAJ K				
ART UNIT		PAPER NUMBER		
2616				
MAIL DATE		DELIVERY MODE		
05/08/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/730,664

**Applicant(s)**

BEICHTER ET AL.

**Examiner**

RAJ K. JAIN

**Art Unit**

2616

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 March 2008.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 and 31 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-15 and 31 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SB-08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 8-15 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siamak et al (EP 0,969,371 A1) in view of Carlson et al (USP 7,133,907).

Regarding claim(s) 1, Siamak discloses a method of facilitating configuring of resources of a communications environment (abstract), said method comprising: automatically mapping a first identifier of a resource of a machine being configured to a second identifier of the resource to assign a physical path of the resource to a logical path of the resource (para 6 lines 8-13, para 14 table 202 maps devices by physical pathnames to logical pathnames), wherein the first identifier is usable by hardware (Figs 1 & 2, computer system 100 with hardware disk drivers 204 identify the particular resource) to identify the resource and the second identifier is usable by a program of the machine to identify the resource (application 201 is a the computer program that is identified as the resource with which the computer system 100 transfers and received data as appropriate).

Siamak fails to disclose mapping of the machine to avoid a single point of failure.

Carlson discloses mapping of the machine to avoid a single point of failure (Fig. 2, col 7 lines 1-39). Carlson provides a method for configuring multiple resources in a system. A plurality of elements are provided that are capable of configuring resources in the system, wherein each element specifies configuration parameters to use to configure instances of the resource and avoid paths having a single point of failure.

Thus it would have been obvious at the time the invention was made to incorporate the teachings of Carlson within Siamak so as to allow for multiple paths of configurations as appropriate without delay and therefore avoiding points of failure within a system.

Regarding claim 2, Siamak discloses wherein the resource comprises a communications adapter (Fig. 1, cable 106 designed to serve as communications adapter.).

Regarding claim 3, Siamak discloses wherein the communications adapter comprises a channel, the first identifier comprises a physical channel identifier (PCHID) and the second identifier comprises a logical channel path identifier (CHPID) (Fig. 3).

Regarding claim 4, Siamak discloses wherein the communications adapter is of an input/output subsystem of the communications environment, the input/output subsystem being configured as a plurality of input/output images (Fig. 1, cable 106 provides the input/output environment).

Regarding claims 5, 6, and 31 Siamak discloses automatically selecting the first identifier to be mapped to the second identifier from a plurality of first identifiers, wherein

the selecting takes into consideration a definition associated with the second identifier (Fig. 3B, plurality of identifiers 306, 308, 310, 312, 314 to be mapped with 305, para 21).

Regarding claim 8 Siamak discloses the physical description of resource as first identifier (see Fig.3b, serial number identifies a storage device).

Regarding claim 9 Siamak discloses proper mapping of devices and a report generated as appropriate (col 6 lines 20-23).

Regarding claim 10 Siamak discloses providing as another input to the automatically mapping a logical definition of the resource, said logical definition comprising the second identifier (Figs. 3A, 3B, logical path 305 defines a second identifier with a particular serial number of the first identifier to be associated with).

Regarding claims 11-13 Siamak discloses mapping utilizing software and hardware components as appropriate (Figs 1-3, paras 9, 10 and 12).

Regarding claims 14 and 15 Siamak discloses performing one or more selective validations on data input to the automatically mapping and the changed configuration environment (para 30, fig. 8, step 804 verifies if correct device is loaded from the mapping table 202, as a new configuration is now loaded).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Siamak et al (EP 0,969,371 A1) in view of Carlson et al (USP 7,133,907) and further in view of Wilson et al (US 6763454 B2).

Siamak and Carlson fails to disclose priority based selection of resource identifiers.

Wilson discloses priority based selection of resource identifiers (col 35 line 64 – col 36 line 10). Priority based selection of resources allows for proper allocation of resource elements as needed. Thus it would have been obvious at the time the invention was made to incorporate the teachings of Wilson within Siamak so as to improve overall network performance by allocating resources as appropriate based on a predetermined priority scheme.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-15 and 31 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAJ K. JAIN whose telephone number is (571)272-3145. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*/Raj K. Jain/*

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*Primary Examiner, Art Unit 2616*

May 7, 2008